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Attorney Docket No. 38-21(51450)B

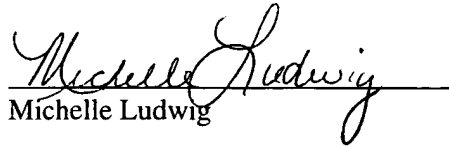
1638

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the 12 day of November, 2003.


Michelle Ludwig

In re application of: Burns et al.

Serial No.: 09/683,548

Filed: January 16, 2002

For: NOVEL MULTIPLE SHOOT PROLIFERATION
AND REGENERATION SYSTEM FOR PLANTS

)
) Examiner: Stuart F. Baum
)
) Group Art Unit: 1638
)
) Conf. No. 7713
)

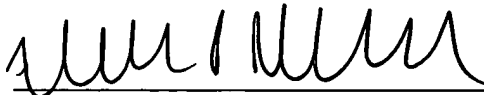
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TRANSMITTAL

Transmitted herewith are the following documents in the above-identified application.

- ☒ Transmittal of Information Disclosure Statement before Mailing Date of Either a Final Action or Notice of Allowance (37 C.F.R. 1.97(c))
- ☒ Certification for Information Disclosure Statement (37 CFR 1.97(e))
- ☒ PTO Form 1449
- ☒ Six (6) References
- ☒ If an extension or an additional extension of time is required, but is not enclosed, please consider this a conditional petition therefor and charge Deposit Account 13-4125 accordingly.
- ☒ Please charge any deficiencies or credit any overpayment to Deposit Account 13-4125. A duplicate copy of this sheet is attached.

Respectfully submitted,



Thomas P. McBride
Reg. No. 32,706
Monsanto Company
800 North Lindbergh Boulevard, Mail Zone E2NA
St. Louis, Missouri 63167
(314) 694-5802



Attorney's Docket No. 38-21(51450)B

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Serial No: 09 / 683,548

Group No.: 1638

Filed: 1/16/2002

Examiner: Stuart F. Baum

For: Novel multiple shoot proliferation and regeneration system for plants

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
BEFORE MAILING DATE OF EITHER A FINAL ACTION
OR NOTICE OF ALLOWANCE (37 C.F.R. 1.97(c))

NOTE: "An information disclosure statement shall be considered by the Office if filed . . . before the mailing date of either (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first, provided the statement is accompanied by either a certification as specified in paragraph (e) of this section or the fee set forth in § 1.17(p)." 37 C.F.R. 1.97(c).

NOTE: "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "If information submitted during the period set forth in 37 C.F.R. 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being submitted prior to a final determination on patentability by the Office. However, the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, [i]f the new ground of rejection was necessitated by amendment of the application by applicant. Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 706.07(a). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 C.F.R. 1.17(p), the Office action shall not be made final." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

FACSIMILE

☒ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner for Patents,

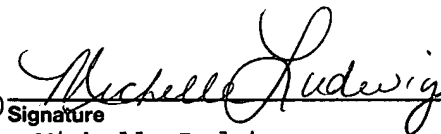
☐ transmitted by facsimile to the Patent and Trademark Office.

~~Washington, D.C. 20231~~

P.O. Box 1450

Alexandria, Virginia 22313-1450

Date: Nov. 12, 2003


Signature

Michelle Ludwig

(type or print name of person certifying)

(Transmittal of Information Disclosure Statement before Mailing Date of Either a Final Action Or Notice of Allowance [6-4]—page 1 of 3)

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

1. The information disclosure statement transmitted herewith is being filed **after** three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but **before** the mailing date of either:
 - (1) a final action under § 1.113 or
 - (2) a notice of allowance under § 1.311,whichever occurs first.

CERTIFICATION OR FEE

2. Accompanying this transmittal is

(check either A or B below)

- A. ☒ a certification as specified in 37 C.F.R. 1.97(e).

OR

- B. ☐ the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$240.00)

FEE PAYMENT

(complete this item, if applicable)

3. Applicant elects the option to pay the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$240.00)

Fee due \$ _____

METHOD OF PAYMENT OF FEE

4.

- ☐ Attached is check in the amount of \$ _____.
- ☐ Charge Account No. _____ in the amount of \$ _____.

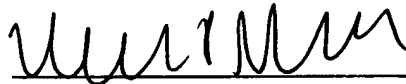
A duplicate of this request is attached.

If any additional fees are due, please charge Account 13-4125.

(Transmittal of Information Disclosure Statement before Mailing Date of Either a Final Action Or Notice of Allowance [6-4]—page 2 of 3)

Reg. No. 32,706

Tel. No.: (314) 694-5802



SIGNATURE OF ATTORNEY

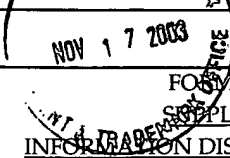
Thomas P. McBride

(type or print name of attorney)

800 North Lindbergh Boulevard
Mail Zone E2NA

P.O. Address

St. Louis, Missouri 63167

				ATTY. DOCKET NO. 38-21(51450)B		APPLICATION NO. 09/683,548	
FORM PTO-1449 SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT				APPLICANT Burns et al.			
				FILING DATE January 16, 2002		GROUP ART UNIT 1638	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA						
FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION
	AB						Yes No
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	AC		Bharati et al., Sodium-Dikegulac induced biochemical changes in seeds of a few crop species, <i>Environment & Ecology</i> 12:399-403 (1994)				
	AD		Choudhury et al, Effect of dikegulac on biomass and alkaloid production in <i>Catharanthus roseus</i> (L) G. Don under <i>in vitro</i> condition, <i>Indian Journal of Experimental Biology</i> 37:594-598 (1999)				
	AE		Choudhury et al., Effect of Dikegulac on Growth and Alkaloid Production in <i>Catharanthus roseus</i> (L.) G. DON. (Pink flowered), <i>J. Plant Biol.</i> 41:149-154 (1998)				
	AF		Maity et al., Regulatory Actions of GA ₃ , IAA and Sodium-Dikegulac on Detached Leaf Senescence of Two Ecologically Different Plant Species, <i>Environment & Ecology</i> 17:327-332 (1999)				
	AG		Purohit et al., Effects of dikegulac-sodium on negative geotropic response, endogenous tryptophan and IAA-oxidase activity in <i>Glycine max</i> roots, <i>Experientia</i> 37:148-149 (1981)				
	AH		Sirois et al., Plant Growth Regulators and Leaf Characteristics of Soybean, <i>Proceedings of the Plant Growth Regulator Society of America</i> , Eighth Annual Meeting, pages 107-113 (1981)				
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							